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10/729,388	12/05/2003	Todd D. Wakefield	5132	8836
64100	7590	02/07/2007	EXAMINER	
DANIEL P. MCCARTHY P.O. BOX 71550 SALT LAKE CITY, UT 84171-0550			RADTKE, MARK A	
		ART UNIT	PAPER NUMBER	
		2165		
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	02/07/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/729,388	WAKEFIELD ET AL.	
	Examiner	Art Unit	
	Mark A. X Radtke	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 January 2007.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-40 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-40 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Remarks

1. In response to communications filed on 18 November 2006, claim(s) 1, 6-7, 12-13, 15, 20-22, 26-28 and 39 is/are amended per Applicant's request. Therefore, claims 1-40 are presently pending in the application, of which, claim(s) 1, 15 and 28 is/are presented in independent form.
2. In light of the Terminal Disclaimer filed 18 November 2006, the Double-Patenting rejection is withdrawn. In light of Applicant's amendments, the claim objections have been withdrawn. Applicant's amendment has necessitated new grounds of rejection and new objections.

Claim Objections

3. Claims 3 and 28 are objected to because of the following informalities:
 - a. At line 3 of claim 3, "access" should be changed to --accesses--.
 - b. At line 3 of claim 28, "accessing database" should be changed to -- accessing a database--. At line 4, "tex" should be changed to --text--. At line 15, "integrating the the structured data" should be changed to --integrating the structured data--.
- Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-3, 6, 16-17, 31 and 38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, because the limitation of "accessing a database of structured and data" is indefinite. A "database of structured" does not parse grammatically and "a database of data" is redundant. For the purposes of examination, "accessing a database of structured and data" will be read as "accessing a database of structured and unstructured data". Furthermore, the phrase "the derived source text" lacks antecedent basis; there is no prior mention of "source text", "deriving" or any other phrases which could reasonably be interpreted to produce "derived source text".

7. Claims 2-3 and 16-17 recite the limitation "said accessing a source of unstructured data" and "said accessing a database of structured data" in lines 1-3. There is insufficient antecedent basis for these limitations in the claims.

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8. Claim 6 recites the limitation "said integrating of the integrated data" in lines 3-4.

There is insufficient antecedent basis for this limitation in the claim. Claim 1 provides for "integrating [...]producing integrated data", not "integrating integrated data".

9. Claim 31 recites the limitation "said interpreting the free text" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

10. Claim 38 recites the limitation "said step of integrating the produced data" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim. Claim 28 only provides for "integrating the structured data".

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1-9, 11-23, 25-36 and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Budzinski (U.S. Patent 5,715,468) in view of Khalfay et al. (U.S. Patent 7,039,875).

As to claim 1, Budzinski teaches a computer program product located to one or more storage media devices usable to perform integration of mixed format data, said computer program product comprising instructions executable by a computer to perform the functions (see Abstract) of:

linguistically parsing the identified text records (see Figures 5a-5h and column 4, line 62, "parsing");

identifying thematic roles and relationships within the parsed text records (see column 4, lines 48-59);

applying caseframes to the linguistic parse and thematic identifications producing attribute extractions, each of said attribute extractions containing attribute information of the derived source text (see column 2, line 60 – column 3, line 5); and

integrating the extractions with the structured data, said integrating step producing integrated data (see column 24, lines 5-33, where "integrating" is read on "learning").

Budzinski does not explicitly teach accessing a database of structured and data, reading customer records from said database, a record including a structured data portion and a free text portion; and rendering at least one visual representation of the integrated data.

Khalfay et al. teaches a computer program product located to one or more storage media devices usable to perform integration of mixed format data, said

computer program product comprising instructions executable by a computer to perform the functions (see Abstract) of:

accessing a database of structured and data (see columns 6-7, spanning paragraph, "natural language" and "templates"),
reading customer records from said database, a record including a structured data portion and a free text portion (see column 6, lines 53-55); and
rendering at least one visual representation of the integrated data (see column 3, lines 29-33 and figure 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Budzinski by the teaching of Khalfay et al. because "the output can be [...] graphical" (see Budzinski, column 18, lines 51-52).

As to claims 2, 16 and 29, Budzinski, as modified, teaches wherein said accessing a source of unstructured data accesses unstructured data contained within the database of structured data (see column 24, lines 17-19, "storing the text presented to the invention").

As to claims 3, 17 and 30, Budzinski, as modified, teaches wherein said accessing a source of unstructured data and said accessing a database of structured data access two separate data sources (See column 6, lines 19-21 and figure 1. Each Memory 80, 90, 100 and 120 is a different data source).

As to claims 4, 18 and 31, Budzinski, as modified, teaches wherein said instructions are further executable to perform the function of applying caseframes while performing said interpreting the free text (see column 2, line 60 – column 3, line 5).

As to claims 5, 19 and 32, Budzinski, as modified, teaches wherein said instructions are further executable to perform the function of producing a new database containing the integrated data produced by said integrating (See column 59, lines 29-36. Partitions are logical databases consisting of several databases spread across different physical volumes or databases. See “Partition (database) – Wikipedia”. Available online at http://en.wikipedia.org/wiki/Partition_%28database%29).

As to claims 6, 20 and 33, Budzinski, as modified, teaches wherein said instructions are further executable to perform the function of inserting the integrated data into the database of structured data while performing said integrating of the integrated data (See column 23, line 66 – column 24, line 4 and see Abstract. Each process will be executed concurrently on a modern operating system).

As to claims 7, 21 and 34, Budzinski, as modified, teaches wherein said instructions are further executable to perform the function of creating a new database while performing said integrating step (see Examiner’s comments regarding claims 5 and 6).

As to claims 8 and 22, Budzinski, as modified, teaches wherein the instructions are further executable to produce a new relational database containing the integrated data produced by said integrating (see Examiner's comments regarding claims 7 and column 3, lines 56-67, "relations").

As to claims 9, 23 and 36, Budzinski, as modified, teaches wherein the instructions are further executable to produce a file containing the integrated data produced by said integrating (see Examiner's comments regarding claim 5. A partition is a new file).

As to claim 11, Budzinski teaches a computer system including a computer program product according to claim 1, further comprising:

a processing unit coupled to said one or more storage media devices, said processing unit being capable of executing said instructions (It is well-known in the art that all computers have processors. See Abstract.); and
an execution command unit, whereby operation of said instructions and said processing unit may be commanded or controlled (see column 16, lines 14-21 and column 34, lines 50-53).

As to claims 12, 26 and 38, Budzinski, as modified, teaches wherein said instructions are further executable to store an integrated database while performing said integrating step (see column 24, lines 5-33).

As to claims 13, 27 and 39, Budzinski, as modified, teaches wherein the integrated data produced by the performance of said integrating the produced data includes reference information to the original free text for construed data (See column 6, lines 60-65. Reference information links word usage and syntax with the concept structures).

As to claims 14 and 40, Budzinski, as modified, teaches wherein said instructions are further executable to provide the functions of:

accepting a user indication to make a selection to drill down in a rendering of a visual representation of the integrated data (see Khalfay et al., column 6, section ii, "category view");

displaying the original free text referenced by the included reference information of the data selected by the user (see column 3, lines 37-39).

As to claim 15, Budzinski teaches a computer program product located to one or more storage media devices usable to perform integration of mixed format data, said computer program product comprising instructions executable by a computer to perform the functions of (see Abstract):

For the remaining steps of this claim applicant(s) is/are directed to the remarks and discussions made in claim 1 above.

As to claim 25, Budzinski teaches a computer system including a computer program product according to claim 15, further comprising:

For the remaining steps of this claim applicant(s) is/are directed to the remarks and discussions made in claim 11 above.

As to claim 28, Budzinski teaches a method for integrating mixed format data, comprising the steps of (see Abstract):

For the remaining steps of this claim applicant(s) is/are directed to the remarks and discussions made in claim 1 above.

As to claim 35, Budzinski, as modified, teaches wherein the new database is a relational database (see column 3, lines 56-67, "related [...] in terms of [...] their relationships").

13. Claims 10, 24 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Budzinski in view of Khalfay et al. as applied to claims 9, 21 and 36 above, and further in view of Examiner's Official Notice.

As to claims 10, 24 and 37, Budzinski, as modified, does not explicitly teach wherein the instructions are further executable to produce a file having a format selected from the group of XML, character separated values, spreadsheet formats and file-based database structures.

However, Examiner takes Official Notice that the use of the elements of the group to store database information is conventional and well known.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to produce a file in one of several formats because Examiner takes Official Notice that the use of the elements of the group to store database information is conventional and well known (see XML Converter Standard Edition, available online at <http://rustemsoft.com/XMLConverter.htm>).

Response to Arguments

14. Applicant's arguments filed on 18 November 2006 with respect to the rejected claims in view of the cited references have been fully considered but are not deemed persuasive.

In response to Applicant's arguments that "[n]either the Budzinski patent nor the Khalfay patent discloses a system for producing structured records from free text and giving them visual representation", the arguments have been fully considered but are not deemed persuasive. As its title indicates, Budzinski teaches a system for "storing and retrieving [...] knowledge with natural language". Budzinski builds a structured database dictionary from natural language text. Natural language sources are "free text" and a database is comprised of "structured records". Khalfay also teaches accessing a free text and structured database (see Examiner's comments regarding claim 1,

particularly columns 6-7, spanning paragraph, "Central Configuration Database"). Khalfay uses "natural language" (or "free text") and "templates" (or "structured records") to build a *Graphical User Interface* (GUI). A GUI is a "visual representation" because it is graphical.

In response to Applicant's arguments that Khalfay and Budzinski are "in a completely different field" than the instant invention, the arguments have been fully considered but are not deemed persuasive. Khalfay and Budzinski are both directed towards computer programs for generating a GUI and processing natural language text, respectively, and computer programs all fall within the same "field" of computer science.

In response to Applicant's arguments that "Applicants' invention does not teach question-answering, knowledge representation systems, or language generation process which are what Budzinski is about", the arguments have been fully considered but are not deemed persuasive. Applicant's own admitted prior art is directed towards concepts in natural language processing and the term "natural language" is used in the instant specification (see paragraph [0021]). The fact that certain aspects of Budzinski fall outside the scope of the instant specification is irrelevant. Budzinski is cited because, in combination with Khalfay, it teaches all of the claimed aspects of the instant invention, not because it is identical to the instant disclosure.

In response to Applicant's arguments that Khalfay "does not disclose creating a visual representation of integrated data that includes extracted attributes from the free text portion of data records that are related to the structured portion of data records", the arguments have been fully considered but are not deemed persuasive. Khalfay teaches building a GUI based on a database, therefore it teaches "creating a visual representation of [...] data". The data is "integrated" because natural language text and template information is stored in the Central Configuration Database (see columns 6-7, spanning paragraph). The step of extracting attributes is taught by Budzinski. The natural language is related to the structured portion of data records because a database table defines relationships (see column 10, line 60, "mapping" is a relationship).

In response to Applicant's arguments that "[n]either Budzinski nor Khalfay disclose any processing of customer data whatsoever", the arguments have been fully considered but are not deemed persuasive. Khalfay does teach a customer. See column 6, lines 37-41: "The upper most panel 48 of the split view displays a list of current services or products from the user selected collection [...] that a particular customer is currently using." In addition, it would be obvious to use Budzinski and Khalfay to process any kind of data, because the instant invention's "customer data" does not functionally relate to the claimed invention, so it constitutes non-functional descriptive matter.

In response to Applicant's arguments that "no matter how hard we look at Budzinsky [sic] and Khalfay those elements are simply not there", the arguments have been fully considered but are not deemed persuasive. See the cited portions of the references from the previous Office Action.

In response to Applicant's arguments that "[a]t no point do they integrate extractions back to the structured data and create a visual representation of the integrated data", the arguments have been fully considered but are not deemed persuasive. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Conclusion

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

16. Any inquiry concerning this communication or earlier communications should be directed to the examiner, Mark A. Radtke. The examiner's telephone number is (571) 272-7163, and the examiner can normally be reached between 9 AM and 5 PM, Monday through Friday.

If attempts to contact the examiner are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached at (571) 272-4146.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Customer Service at (800) 786-9199.

maxr

27 January 2007

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2/1/07



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